



**FOLEY  
HOAG LLP**  
ATTORNEYS AT LAW

MAR 19 2004

March 17, 2004

Jennifer K. Holmes, Ph.D.  
Patent Agent  
Boston Office  
617.832.1770  
jholmes@foleyhoag.com

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTN: CORRECTED DRAWINGS**

Re: U.S. Patent Application No.: 09/292,411  
Entitled: Fab I  
Filed: April 15, 1999  
By: Payne et al.  
Examiner: Navarro, Albert Mark  
Atty Ref: IPT-060.02

Dear Sir:

Enclosed for filing in the above-referenced patent application please find the following:

1. Response to Notice of Drawing Inconsistency with Specification;
2. Copy of Notice of Drawing Inconsistency with Specification;
3. Corrected Figures 1-2A (3 pages); and
4. Return Receipt Postcard.

**Certificate of First Class Mailing**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below:

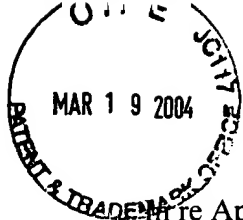
March 17, 2004  
Date

Shirine Darvish  
Shirine Darvish

Respectfully submitted,  
FOLEY HOAG LLP

Jennifer K. Holmes  
Jennifer K. Holmes, Ph.D.  
Reg. No. 46,778  
Agent for Applicants  
Customer ID No. 25181

FHBoston/1027854.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Payne et al.

Serial No: 09/292,411

Filed: April 15, 1999

For: *Fab I*


Examiner: Navarro, Albert Mark

Group Art Unit: 1645

Attorney Docket No. IPT-060.02

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 17, 2004.

  
Shirine Darvish

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION**

Mail Stop Issue Fee  
Commissioner for Patents  
Alexandria, VA 22313-1450

**ATTENTION: CORRECTED DRAWINGS**

Sir:

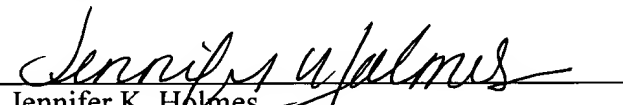
Enclosed is a copy of the Notice of Drawing Inconsistency With Specification and the replacement drawings of Figures 1-2A. The replacement drawings renumber the two sheets of Figure 2 as Figure 2 (for sheet 1) and Figure 2A (for sheet 2) as indicated in the specification.

Applicants believe that no fees or extensions of time are required in association with this submission. However, if any additional fees are due, the Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to Deposit Account Number **06-1448**, **Reference IPT-060.02**.

Respectfully Submitted,

Date: March 17, 2004

**Customer No: 25181**  
Patent Group  
Foley Hoag LLP  
155 Seaport Boulevard  
Boston, MA 02210-2600

  
Jennifer K. Holmes  
Reg. No. 46,778



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

KAN  
IPT-06002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/292,411	04/15/1999	DAVID J. PAYNE	GM50005-D1	3526

25181 7590 03/10/2004

FOLEY HOAG, LLP  
PATENT GROUP, WORLD TRADE CENTER WEST  
155 SEAPORT BLVD  
BOSTON, MA 02110

Corrected Drawg/Spec  
DOCKETED  
DUE: 4.10.04 (Final)

EXAMINER	
NAVARRO, ALBERT MARK	
ART UNIT	PAPER NUMBER

1645

DATE MAILED: 03/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

MAR 15 2004

PATENT DEPT.  
DOCKETING



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

### NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 4-15-99 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures 2A are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures \_\_\_\_\_ are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

#### **Return Corrected Drawings/Specification to:**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450

Alexandria, VA 22313-1450

Office of Patent Publication/Publishing Division  
Customer Service: 703-308-6789  
1-888-786-0101

FORM PTO-1631 (REV. 10-03)